

REMARKS/ARGUMENTS

Claims 1-24 and 34-49 are pending in this application. Claims 26-33 and 50-57 have been canceled without prejudice or disclaimer. Reconsideration is respectfully requested.

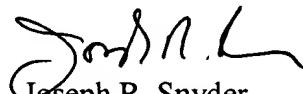
In view of the cancellation of claims 26-33 and 50-57, the rejection under 35 USC §112, second paragraph has been rendered moot.

Claims 1-25 were rejected under the judicially created doctrine of obviousness-type double patenting over claims 1-23 of U.S. Patent No. 6,534,018¹. In view of the concurrently filed Terminal Disclaimer, Applicants believe this rejection has been rendered moot.

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 925-472-5000.

Respectfully submitted,


Joseph R. Snyder
Reg. No. 39,381

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 925-472-5000
Fax: 415-576-0300
Attachments
JS:jc
60234424 v1

¹ The Examiner stated U.S. Patent No. 4,781,871 in the Office Action; however, U.S. Patent No. 6,543,018 is believed to be correct.